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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/518,837	03/03/2000	Frank D. Tuttle	800470	9750

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EXAMINER

POINVIL, FRANTZY

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 09/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/518,837	TUTTLE, FRANK D.
	Examiner	Art Unit
	Frantzy Poinvil	3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 04 June 2003.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-42 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-42 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)                    4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)                    5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ .                    6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davidson (US Patent No. 5,699,527) in view of CompliancePro., discussed by Phil Britt.

As per claims 1-42, Davidson discloses a method and system for processing a loan application. Davidson discusses auditing many types of loans concerning law changes or policy changes of a lending institution and providing management report and statistical report regarding the location and neighborhood of loan applicants. Note column 5, lines 40-53; column 7, line 57 to column 8, line 18 and 9, lines 19-50 of Davidson. Davidson further discusses the responsibilities of a loan auditor but fails to explicitly disclose a system or method being employed to audit a loan for compliance. Phil Bret discusses a look at a software compliance

system for loans. The software named CompliancePro when utilized with a computer system will notify a loan audit request user of a determined loan audit compliance result based on a company's rules and federal and state regulations. Thus, using a computer system being a window-based environment the system will allow a user to enter a type of loan and related variables and retrieves applicable stored compliance rules and regulations to compare against loan data. Some of the stored rules are from the Federal Guide. Note page 2 of the article. The system also allow a bank, financial institution or user to build or customize compliance rules. Note page 3 of the article. Rules may be applicable licenses within a geographic boundary. The article does not explicitly indicate a step of associating licensing from applicable licenses with a loan originator to form a set of loan originator applicable licenses and storing the list of loan originator licenses in the loan compliance rules database in the computer system. The Examiner notes that it is well known in the banking and real estate industry for realtors, appraisers and loan originators and brokers to be licensed. Inputting these entities' licenses in the computer system would have been obvious to one of ordinary skill in the art in order to assure which entity in a lending institution is handling a specific loan or a specific task related to a loan process.

Identifying the loan type and the loan originator in the CompliancePro software would have been obvious to the skilled artisan so as to identify an entity processing a type of loan having a type of error so as to better educate the loan officer or entity of the auditing rules therefore increasing the reliability of a banks' auditing process.

The article further teaches the CompliancePro software performs compliance calculations such as geocoding. The software would have been obvious to one of ordinary skill in the art to providing a communications network such as a telephone, satellite or microwave transmission network so that branch managers located at different locations may instantly communicate steps taken by one manager or worker at a different department or location.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Davidson with CompliancePro as described by Phil Britt in order to provide an automated loan auditing system whereby loans comply with federal, state and financial institutions' rules and policies.

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (703) 305-9779. The examiner can normally be reached on Monday-Thursday 7:00AM-5:30PM.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9326 for Before Final actions and (703) 872-9327 for After Final actions.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

FP  
September 5, 2003

  
FRANTZY POINVIL  
PRIMARY EXAMINER  
AU 3628